

**DECLARATION AND POWER OF ATTORNEY FOR A  
CONTINUATION-IN-PART APPLICATION**

**ATTORNEY'S DOCKET NO.:**  
11-229-9035-1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Particle-Mediated Transformation of Animal Somatic Cells the specification of which (check one) ☐ is attached hereto. ~~It~~ was filed on June 26, 1989 as Application Serial No. 371,869 and was amended on date of filing ~~(if applicable)~~ of the Amendment attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

SN 07/371,869	June 26, 1989	Pending	
(Application Serial No.)	(Filing Date)	(Status)	(Patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status)	(Patented, pending, abandoned)

That, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States Of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States Of America more than one year prior to said earlier application; and that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States Of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application.

That, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States Of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States Of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States Of America on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

			Priority Claimed	
			Yes	No
(Number)	(Country)	(Day/month/year filed)	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/month/year filed)	<input type="checkbox"/>	<input type="checkbox"/>

I hereby appoint the following practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Nicholas J. Seay 27386, Thad Kryshak 19428, and Carl Schwartz 29437

Direct all telephone calls to Nicholas J. Seay (208) 251-5000 at telephone number ~~(414) 277-5088~~. Address all correspondence to Nicholas J. Seay c/o Quarles & Brady, 414 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, P.O. Box 2113, Madison, WI 53701-2113

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